

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roger E. Weiss  
Serial No.: 09/465,056  
Filed: December 16, 1999  
For: Elastomeric Interconnection  
Device and Methods for Making Same

Paper No.:  
Examiner: Nguyen, Truc T.  
Group No.: 2833  
Docket No.: 15876-46005

To the Commissioner of Patents and Trademarks  
Washington, DC 20231

DECLARATION OF ROGER E. WEISS UNDER 37 C.F.R. 1.131

Roger E. Weiss declares as follows.

1. I am the sole inventor in the subject application.
2. I conceived of the claimed invention of the subject application before the November 23, 1998 filing date of the reference applied in the Final Office Action, namely Glatts, III, U.S. Patent Number 6,019,610.
3. Evidence of the conception is attached hereto as Exhibits A and B. Exhibit A comprises a facsimile dated November 9, 1998 sent to the attorney of record in this case, Brian M. Dingman, comprising 12 pages in total. Those 12 pages comprised 6 pages of text and 6 pages of drawings disclosing the subject invention. This was actually an updated disclosure of a previous disclosure I had faxed Mr. Dingman on November 4, 1998.
4. The November 9, 1998 disclosure clearly comprises a disclosure of at least claim I of the subject application. As disclosed beginning 5 lines from the bottom of page number 2 of the text and in figure 1c which is on the second page of drawings, in the invention the elastomeric material (having magnetically aligned particles as disclosed at the top of the same paragraph and in figures 1a and 1b of the attached drawings) has an array of conducting pads

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formed on the surface in intimate contact with the surface and in contact with the surface particles as shown in the drawing of figure 1c. Note that this figure 1c eventually became figure 2 of the subject patent application. As disclosed in the next sentence, these pads can be formed in a variety of manners. At the top of page 3 there is a disclosure of the pads being bonded to the elastomer and the surface particles of the electrically conductive pathways. This is also shown in the attached figure 1c. The figure also clearly shows the pads flush with or extending above the surface of the elastomeric matrix.

5. As can be seen by comparing the figures in the fax to the figures in the patent application, figures 1f through 1r and figures 2a through 2c of the fax correspond directly to figures 3-9 and 14-16 in the subject patent application.

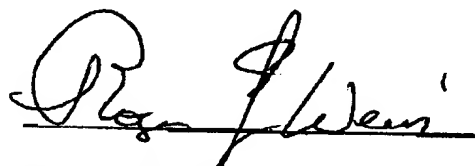
6. Exhibit B hereto comprises a 24 page facsimile transmission I received on December 16, 1998 from my attorney Brian M. Dingman which comprised the draft provisional patent application consisting of 16 pages of text and 7 pages of drawings. You can see some minor handwritten edits that I made on the fax and then gave to Mr. Dingman. The provisional patent application, priority of which is claimed in the subject application, was then filed that same day, December 16, 1998.

Further Declarant sayeth not.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 8/16/02

  
Roger E. Weiss